

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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NEWMARK GROUP, INC., G&E  
ACQUISITION COMPANY, LLC and BGC  
REAL ESTATE OF NEVADA, LLC

Plaintiff,

v.

AVISON YOUNG (CANADA) INC.;  
AVISON YOUNG (USA) INC.; AVISON  
YOUNG-NEVADA, LLC, MARK ROSE,  
THE NEVADA COMMERCIAL GROUP,  
JOHN PINJUV, and JOSEPH KUPIEC; DOES  
1 through 5; and ROE BUSINESS ENTITIES  
6 through 10,

Defendants.

Case No. 2:15-cv-00531-RFB-EJY

**ORDER**

Pending before the Court are (1) Defendants' Motion to Seal exhibits to their Opposition to Plaintiffs' Motion to Exclude Portions of Carlyn Irwin's Expert Testimony (ECF No. 698), and (2) Plaintiffs' Motion to Seal exhibits to Plaintiffs' Response to Defendants' Motion to Exclude the Testimony of Christopher Spadea (ECF No. 701).

**I. DISCUSSION**

The parties have filed innumerable motions to seal, each of which has set forth the applicable standards related thereto. The Court does not repeat those standards here.

The Court reviewed the instant Motions to Seal as well as the exhibits sought to be sealed or redacted. All exhibits contain proprietary business information, financial data, and communication relating to trade secrets and, therefore, are properly sealed. The Court finds the unredacted references to these exhibits appearing in the respective oppositions are also properly sealed.

**II. ORDER**

IT IS HEREBY ORDERED that Defendants' Motion to Seal Exhibits to the Opposition to Plaintiffs' Motion to Exclude Portions of Carlyn Irwin's Expert Testimony (ECF No. 698) is GRANTED.

1 IT IS FURTHER ORDERED that Exhibits A and B to Defendants' Opposition to Plaintiffs'  
2 Motion to Exclude Portions of Carlyn Irwin's Expert Testimony (ECF No. 696) are and shall remain  
3 sealed. The unredacted version of Defendants' Opposition at ECF No. 697 is and shall remain  
4 sealed.

5 IT IS FURTHER ORDERED that Plaintiffs Motion to Seal Exhibits to the Response to  
6 Defendants' Motion to Exclude the Testimony of Christopher Spadea (ECF No. 701) is GRANTED.

7 IT IS FURTHER ORDERED that Exhibits 1–15, 18–24, 28, 30, 32–40, 42–43, 45, 47–51,  
8 55–56, and Group Exhibits 41 and 44 to Plaintiffs' Response to Defendants' Motion to Exclude the  
9 Testimony of Christopher Spadea (ECF No. 699) are and shall remain sealed. The unredacted  
10 version of Plaintiffs' Response at ECF No. 700 is and shall remain sealed.

11 IT IS FURTHER ORDERED that if in the future (i) any party in this case seeks to file an  
12 exhibit under seal, (ii) there is no dispute regarding whether the exhibit is properly sealed, and (iii)  
13 the Court has previously granted the request to seal, **the parties need not bring a motion to seal**  
14 **the exhibit** as the prior order automatically applies to the refiling of the exhibit under seal.

15 Dated this 26th day of June, 2023.

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19 ELAYNA J. YOUCHAK  
20 UNITED STATES MAGISTRATE JUDGE  
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